

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 22-8780 MRW	Date	March 10, 2023
Title	GAIC v. Oxnard Unified HSD		

Present: The Honorable	Michael R. Wilner
James Muñoz	n/a
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
None present	None present

Proceedings: ORDER TO SHOW CAUSE RE: DISMISSAL OF UNSERVED CIVIL ACTION

Plaintiff filed this civil action on December 2, 2022. The case was randomly assigned to Judge Wilner through the Court's Magistrate Judge Direct Assignment Program. Pursuant to Federal Rule of Civil Procedure 4(m), Plaintiff was required to serve process in this action within 90 days of commencement of the action, or by March 2, 2023. However, according to the Court's review of the docket, no proof of service has been filed in the action yet, and no defendant has appeared in the action to date.

In response to an earlier order from Judge Wilner (Docket # 8), Plaintiff's attorney stated in January 2022 that GAIC had effected e-mail service on the defense. (Docket # 11.) He also informed the Court that (a) the parties were discussing whether the matter should be sent to arbitration and (b) Plaintiff planned to file an amended complaint in January. However, since then, no party has filed anything with the Court in this action. That includes a proper proof of service as required under Rule 4.

Plaintiff is ORDERED to show cause why the action should not be returned to the civil wheel for reassignment to a District Judge with a recommendation that it be dismissed for failure to prosecute. Plaintiff's response to this OSC will be due by March 24, 2023.